



## **CITY COUNCIL**

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**Donovan M. Dela Cruz, Chair**  
**Ann H. Kobayashi, Vice Chair**  
**Romy M. Cachola, Floor Leader**  
**Todd K. Apo, Member**  
**Charles K. Djou, Member**  
**Nestor R. Garcia, Member**  
**Barbara Marshall, Member**  
**Gary H. Okino, Member**  
**Rod Tam, Member**

### **POWERS, DUTIES AND FUNCTIONS**

The Revised Charter of the City and County of Honolulu expressly establishes the “Legislative Branch” as coordinate to the executive branch of City government and vests the legislative power in the City Council.

As the legislative body of the city, the Council performs the following major duties and functions:

- Sets city-wide policies by enacting ordinances and adopting resolutions relating to municipal government programs and services, such as police and fire protection, parks and recreation, affordable and special needs housing, sanitation and waste disposal, public transportation, and other city government operations;
- Initiates new municipal programs that the city may pursue or improvements to update and refine existing programs and services;
- Adopts the annual operating and capital programs and budgets to fund the operations of the city and the delivery of city services;
- Adopts measures that will yield sufficient moneys to balance the budget including the setting of the annual real property tax rate and authorizing the issuance of general obligation bonds;
- Adopts a general plan for the city and land use laws affecting the city’s development plans and zoning regulations and processes;
- Establishes policies for development in or near the shoreline by reviewing and granting applications for special management area use permits and shoreline setback variances upon recommendation of the department of planning and permitting;
- Makes requests to the City Auditor to conduct performance audits of city agencies and programs to determine whether laws, policies, and programs are being carried out in the most effective, efficient, and economical manner;
- Determines the necessity of taking property for public purposes and authorizes proceedings in eminent domain;
- Confirms city department heads and board and commission members nominated by the Mayor;
- Fixes fees and charges for all city services and the use of city property;
- Settles claims filed against the city and its officers and employees;
- Approves the compromise of real property tax claims in excess of \$500 upon recommendation of the director of budget and fiscal services;
- Approves the abandonment or closing of city streets and roads upon recommendation of the city administration;
- Establishes fines and penalties for violations of city ordinances;
- Accepts, on behalf of the city, gifts of money, securities, other personal property, or real estate or interests in real estate;
- Authorizes agreements between the city and other governmental and quasi-governmental agencies which place obligations on the city; and
- Approves the appointment of special counsel for the city upon the recommendation of the corporation counsel.

### **ORGANIZATION**

In FY 2004-2005, the Council systematically provided legislative oversight through the work of eight standing committees which served as open forums of discussion, debate, and consensus. The standing committees actively sought citizen participation in the legislative process by conducting meetings during which individuals as well as representatives of neighborhood boards, small businesses, interested organizations, and affected industries were encouraged to share their opinions and ideas on city government programs and activities. The number and diversity of public testimony received by the standing committees often formed the bases of recommendations for Council action. In addition to the regularly scheduled committee meetings, the standing committees

also held informational briefings to focus on complex issues and study new initiatives for city programs and services. Standing committees also sometimes recommended that the Council form task forces or advisory committees, comprised of representatives of the private and public sectors, to study and report on specific issues or problems.

The Council's eight standing committees and their respective officers and members at the close of FY 2004-2005 were the following:

- **Committee on Budget**  
Chair: Ann H. Kobayashi  
Vice-Chair: Nestor R. Garcia  
Members: Todd K. Apo, Romy M. Cachola, and Rod Tam
- **Committee on Executive Matters**  
Chair: Romy M. Cachola  
Vice-Chair: Ann H. Kobayashi  
Members: Todd K. Apo, Donovan M. Dela Cruz, Charles K. Djou, Nestor R. Garcia, Barbara Marshall, Gary H. Okino, and Rod Tam
- **Committee on Housing and Enterprise Services**  
Chair: Todd K. Apo  
Vice Chair: Charles K. Djou  
Members: Romy M. Cachola, Ann H. Kobayashi, and Barbara Marshall
- **Committee on Parks**  
Chair: Charles K. Djou  
Vice-Chair: Gary H. Okino  
Members: Todd K. Apo, Barbara Marshall, and Rod Tam
- **Committee on Planning and Transportation**  
Chair: Nestor R. Garcia  
Vice-Chair: Barbara Marshall  
Members: Romy M. Cachola, Ann H. Kobayashi, and Gary H. Okino
- **Committee on Public Safety**  
Chair: Gary H. Okino  
Vice-Chair: Todd K. Apo  
Members: Charles K. Djou, Nestor R. Garcia, and Barbara Marshall
- **Committee on Public Works and Economic Development**  
Chair: Rod Tam  
Vice-Chair: Romy M. Cachola  
Members: Nestor R. Garcia, Ann H. Kobayashi, and Gary H. Okino
- **Committee on Zoning**  
Chair: Barbara Marshall  
Vice-Chair: Rod Tam  
Members: Todd K. Apo, Romy M. Cachola, and Ann H. Kobayashi

## **ACCOMPLISHMENTS**

In fiscal year 2004-05, the Council responded to a broad array of contemporary concerns and anticipated needs of the city and its residents and visitors. After studying and evaluating the many issues and problems brought before the Council and considering the input of the city administration, public, and relevant interests, the Council adopted legislative measures that may be categorized into the following general areas: (1) protecting the public health and environment, primarily through the provision of necessary infrastructure; (2) protecting the public safety, primarily through the provision of police, fire safety, and emergency response services; (3) promoting transportation modes, particularly the transit system, and improving traffic safety; (4) promoting affordable and other types of housing; (5) enhancing and maintaining recreational facilities and natural resources; (6) revising land use policies and regulations and granting appropriate and justified development approvals; (7) strengthening and diversifying the economy; (8) addressing the problems of persons with special needs; and (9) funding city operations and projects and ensuring the efficient and effective delivery of City services.

## **PROTECTING THE PUBLIC HEALTH AND ENVIRONMENT, PRIMARILY THROUGH THE PROVISION OF NECESSARY INFRASTRUCTURE**

Protecting the public health and environment through the provision of basic infrastructure again was among the top priorities of the Council. In **Ordinance 04-24**, the Executive Operating Budget Ordinance for fiscal year 2004-05, the Council appropriated \$174,230,308 for operating activities under the "sanitation function," which covered solid waste and wastewater collection and

disposal. In **Ordinance 04-25**, the Executive Capital Budget Ordinance for fiscal year 2004-05, the Council appropriated \$124,208,160 for 30 solid waste and wastewater projects.

### **Solid Waste**

Perhaps one of the most important and controversial decision made by the Council during fiscal year 2004-05 was the selection of a city landfill site in response to a directive of the state land use commission. After many meetings and contentious testimony on the issue, the Council adopted **Resolution 04-348, CD1, FD1**, which selected Waimanalo Gulch as the site for the city landfill. Two other significant policy statements were made in the resolution. The first was that the City must employ sustainability concepts in the handling of municipal solid waste so that the maximum amount of recyclable materials, energy, and alternative products are extracted before waste is placed in the landfill. The second policy statement was that the Council would work with the new city administration to devote resources to solid waste management, with the intention of eliminating, to the extent possible, the need for a landfill by 2008.

As indicated by the policy statements, the Council recognized that management of solid waste required more actions than merely selecting a landfill site. The Council realized that the methods of combusting and recycling solid waste had to be part of a comprehensive solid waste management strategy. Thus, the Council adopted **Resolution 05-156** which urged the city administration to consider alternative or high technology methods for disposing solid waste when determining whether to replace, reconstruct, expand, or supplement the H-Power facility. Also adopted was **Resolution 04-297, CD1**, which called for the establishment of a recycling task force to review the city's proposed island-wide curbside recycling program.

In other actions related to solid waste management, the Council adopted two resolutions. **Resolution 04-214** authorized the city to enter into a memorandum of agreement with the state department of business, economic development, and tourism, state office of planning, state department of health, and County of Maui to establish the Hawaii Brownfields Cleanup Revolving Loan Fund. **Resolution 04-391** granted a special management area use permit and shoreline setback variance for the Waipahu Ash Landfill Closure Project.

### **Wastewater**

With respect to wastewater, the Council addressed the problem on the North Shore. Significant portions of the homes and businesses there are not connected to the public sewer system. Residents and businesses use cesspools and septic tanks for wastewater disposal. To address the problem, the Council adopted **Resolution 04-319, CD1**, which urged the department of environmental services to name a potential site or sites for a wastewater treatment plant in the North Shore area.

Community concerns about the safety of fertilizer produced by a sewage sludge bioconversion plant at the Sand Island Wastewater Treatment Plant were addressed by the Council through the adoption of **Resolution 04-190**. The Resolution requested the director of environmental services to allow the Citizens Advocating a Safe Environment, a community organization, to arrange for the testing of the sewage sludge generated at the Sand Island Wastewater Treatment Plan for levels of chlordane, dieldrin, and other chemicals.

### **Additional Public Infrastructure Concerns**

In the area of storm water, the Council adopted **Resolution 04-265** which authorized the city to enter into an agreement with the U.S. Geological Survey to continue storm water monitoring for the Manoa Valley watershed and **Resolution 05-005, CD1**, which authorized the director of design and construction to enter into an agreement with the Natural Resources Conservation Service, U.S. Department of Agriculture, for the Manoa Stream — Bank Repairs Project.

Water quality was addressed by the adoption by the Council of three resolutions. **Resolution 04-303** authorized the city to enter into an agreement with the Hawaii Stream Research Center, University of Hawaii, for the "Biological and Habitat Assessment of Waiolani-Niniko-Pauoa Streams, Tributaries of Nuuanu Stream, Oahu." **Resolution 04-318** authorized the Mayor to enter into an agreement with the U.S. Geologic Survey for the collection of basic hydrologic data on Oahu. **Resolution 05-178** authorized the city to enter into an agreement with the Water Resources Research Center, University of Hawaii, to conduct an assessment of the impact of ocean sewer outfalls on the marine environment off Oahu.

The electrical power infrastructure was addressed by two measures benefiting the Hawaiian Electric Company (HECo). The Council adopted **Resolution 04-174** which granted a special management area use permit to HECo for the re-grading of two former wastewater ponds at its Waiawa plant and **Resolution 04-247** which granted a special management area use permit for various improvements to HECo's Kahe Power Plant.

## **PROTECTING THE PUBLIC SAFETY, PRIMARILY THROUGH THE PROVISION OF POLICE, FIRE SAFETY, AND EMERGENCY RESPONSE SERVICES**

Protecting the public safety remained among the top priorities of the Council. **Ordinance 04-24** appropriated \$264,317,127 for the operating activities of the police department, fire department, department of emergency services, and civil defense agency. **Ordinance 04-25** appropriated \$14,994,981 for fourteen police, fire, and ocean safety capital improvement projects.

### **Police**

Efforts were made to establish a police station in East Honolulu. The Council adopted **Resolution 04-245, CD1**, which amended the Primary Urban Center public infrastructure map by placing a symbol for the construction of the East Honolulu police station at

Fort Ruger. Additionally, the Council adopted **Resolution 05-074** which granted a special management area use permit for the construction of the police station.

The Council adopted many resolutions authorizing the chief of police to enter into intergovernmental agreements to receive federal or state funds. Among the resolutions were the following: **Resolution 04-209** which authorized the chief of police to apply for and accept funds from the U.S. Department of Justice for the Gang Resistance Education and Training Program for all 7<sup>th</sup> grade students in Oahu's public schools; **Resolution 04-197, CD1**, which authorized the chief of police to enter into an agreement with the U.S. Department of Justice for Local Law Enforcement Program Funds (Year 9); **Resolution 04-226, CD1**, which authorized the chief of police to apply for and accept funds from the U.S. Department of Justice for the Community Oriented Policing Services (COPS) FY 2004 Interoperable Communications Technology Program; **Resolution 04-252** which authorized the chief of police to apply for and accept funds from the state department of the attorney general for the Weed and Seed Program; **Resolution 04-304** which authorized the chief of police to apply for and accept funds from the state department of the attorney general for a domestic violence victim advocate at the Waianae, Kalihi, and Wahiawa Police Stations; **Resolution 05-038** which authorized the chief of police to apply for and accept funds from the state department of the attorney general for the Drug Abuse Resistance Education (DARE) Program; **Resolution 05-100** which authorized the chief of police to enter into an agreement with the U.S. Drug Enforcement Administration to supplement the city's law enforcement program to eradicate marijuana in the State of Hawaii; and **Resolution 05-134** which authorized the chief of police to enter into an agreement with the U.S. Office of National Drug Control Policy to conduct High Intensity Drug Trafficking Area programs.

Interagency cooperation was promoted by the Council through adoption of various resolutions authorizing the chief of police to enter into memoranda of agreement or understanding with other agencies. Examples of the resolutions were the following: **Resolutions 04-194 and 04-195** approving memoranda of understanding with the Drug Enforcement Administration relating to the Hawaii High Intensity Drug Trafficking Area Task Force and Hawaii Airport Task Force, respectively, both of which involved combating illegal drugs; **Resolution 04-354** approving a memorandum of agreement with the Hawaii Army National Guard to permit construction of an addition and parking of a temporary trailer at Fort Ruger for use as part of the East Honolulu police station; **Resolution 05-017** approving a memorandum of understanding with the Hawaii Anti-Trafficking Task Force regarding the use of facilities and training for police officers; **Resolution 05-023** approving a memorandum of agreement with the U.S. Navy on mutual assistance for and backup to E-911 emergency answering services; and **Resolution 05-026** approving a memorandum of understanding with the Hawaii Internet Crimes Against Children Task Force for the joint effort to investigate and prosecute internet crimes.

## Fire

The Council, in cooperation with the U.S. Navy, took action to save city taxpayers a significant amount of money. The Council adopted **Resolution 05-007, CD1**, which authorized the city to enter into an intergovernmental agreement with the U.S. Navy for the conveyance to the city of 5.16 acres of land on Valkenburgh Street near Hickam Air Force Base for use as a fire station and fire training facility. Previously, the city had leased the land from the Navy, and the Navy had intended not to renew the lease in 2004. Conveyance of the land to the city, however, allowed the fire department to remain at the site, and precluded the need for the expenditure of millions of dollars for a new city fire training facility.

In another matter concerning the fire protection infrastructure, the Council adopted **Resolution 04-389, CD1**, which revised the North Shore public infrastructure map to provide for the relocation of the Waialua fire station.

The Council again attempted to address the issue of retrofitting high-rise residential buildings for fire safety. The Council adopted **Resolution 04-334, CD1**, which requested the Honolulu fire department to establish a residential fire safety advisory committee, the main purpose of which was to study installation of sprinklers in high-rise residential buildings constructed before sprinklers were required under the building code.

Two resolutions were adopted by the Council relating to intergovernmental agreements with the state. **Resolution 04-196** authorized the Honolulu fire department to receive and expend state funds for a personal services contractor to assist the State Fire Council Administrator, who is the battalion chief of the Fire Prevention Bureau of the Honolulu fire department. **Resolution 04-295** authorized the fire chief to accept a state grant under the Volunteer Fire Assistance Program of the state department of land and natural resources.

## Liquor Commission

Scrutiny of the Honolulu liquor commission by the Council was heightened with the media reports of investigations into the conduct of liquor inspectors, and the release by the City Auditor in April 2005 of the Audit of Selected Management Issues of the Honolulu Liquor Commission, Report No. 05-02. Because of the problems within the liquor commission, which is a creation of and governed mainly by state law, the Council recognized that it needed increased jurisdiction over the commission. As a result, the Council adopted **Resolution 04-292, CD1**, which approved for inclusion in the 2005 HSAC Legislative Package a proposal to provide more county authority over the liquor commissions. Based on the Audit, the Council determined that the management of the liquor commission staff required improvement. Consequently, the Council adopted **Resolution 05-129, CD1**, which urged the liquor commission to conduct a work performance evaluation of the liquor control administrator.

Two resolutions intended to prevent or ameliorate the abuse of liquor were adopted by the Council. **Resolution 04-351** approved for inclusion in the 2005 HSAC Legislative Package a proposal allowing the use of revenues of the liquor commission for alcohol



abuse prevention and education programs. **Resolution 05-150** authorized the liquor commission to enter into an agreement with the Cancer Research Center of Hawaii for the coordination of a sting operation to curtail drinking of liquor by minors.

#### Additional Public Health and Safety Concerns

Ocean safety was addressed in the Council's adoption of **Resolution 04-275**. The resolution approved for inclusion in the 2005 HSAC Legislative Package a proposal that would repeal the sunset dates for the counties' immunity from lawsuits relating to ocean safety. Such a proposal would have had the effect of extending the limited immunity provided to the counties and county lifeguards for ocean safety activities.

Other proposals for state legislation were also endorsed by the Council. **Resolution 04-181, CD1**, urged the state department of public safety to recommend to the legislature the removal of the current exception for pseudoephedrine from reporting, recordkeeping, and permitting requirements. **Resolution 04-316** urged the legislature to amend the mandatory real estate seller disclosure law to require disclosures relating to the manufacture of controlled substances on property up for sale.

The Council also adopted **Resolution 05-095** which authorized the Mayor to receive Domestic Preparedness Funds from the Office for Domestic Preparedness, U.S. Department of Homeland Security and **Resolution 04-330** which urged the Mayor to participate in the National Flood Insurance Program's Community Rating System to enable residents in flood-prone areas to better insure themselves against flood damage.

## ENHANCING TRANSPORTATION, ESPECIALLY THE TRANSIT SYSTEM, AND IMPROVING TRAFFIC SAFETY

### Transit System

Of the modes of transportation, the Council gave most of its attention in fiscal year 2004-05 to the city transit system.

In response to a movement at the legislature during the 2005 Regular Session to provide funding authorization for county mass transit, the Council adopted **Resolution 05-029, CD1**. The resolution urged the legislature to enact legislation authorizing the counties to establish an additional general excise tax of up to one percent to fund transit and transportation projects.

The Council recognized that the construction, operation, and maintenance of an expanded mass transit system would be costly to the taxpayers. To evaluate and compare potential funding sources besides the general excise tax, the Council adopted **Resolution 05-107** which requested the city administration to determine the real property or fuel tax rates required to finance public transportation systems and **Resolution 05-065** which urged the city administration to study alternative sources of revenue for operation of "TheBus."

Furthermore, the Council recognized that efficient and effective operation of the mass transit system is necessary to maximize transit ridership and maintain costs. Consequently, the Council adopted **Resolution 05-066** which urged the city administration to conduct an internal review of the operation of "TheBus" in order to improve efficiency and reliability without reducing service. To determine whether a new management structure would be better for the city mass transit system of the future, the Council adopted **Resolution 05-106** which requested the city administration to study the feasibility of establishing a mass transit authority.

The Council also recognized that appropriate land use policies are necessary to complement mass transit ridership. Two resolutions proposing amendments to the land use ordinance to achieve such policies were adopted. The amendments proposed by **Resolution 05-006, CD1**, would characterize a multi-family dwelling within one-fourth mile of a major transit route as a "transit-oriented multi-family dwelling" and relax the off-street parking requirement for such a dwelling. The amendments proposed by **Resolution 05-032** would reduce the off-street parking requirements for lots in the business and business mixed use districts if the lots are within one-fourth mile of a transit center.

A major project to enhance the city transit system was fully funded by the Council. **Ordinance 05-012** added to the Executive Capital Budget Ordinance for fiscal year 2004-05 \$5,100,000 for land acquisition for the Middle Street Intermodal Center.

Other operational issues with respect to the city transit system were addressed by the adoption of two resolutions. **Resolution 04-203, CD1**, authorized the department of transportation services to enter into an agreement with the Housing and Community Development Corporation of Hawaii for the construction of shelters and concrete bus pads at various bus stops within the Villages of Kapolei. **Resolution 04-253, CD1**, requested a progress report on the monthly bus pass program for persons with extremely low incomes established under a 2003 ordinance.

### Walking And Bicycling

The Council's attention was not limited to the transit and motor vehicle modes of transportation, but extended also to the walking and bicycling modes. The Council became aware that some existing residential areas are without sidewalks because of insufficient rights-of-way or the high cost to abutting property owners. In order to permit the installation of adequate and affordable sidewalks in such residential areas, the Council adopted **Resolution 05-097, CD1**, which urged the city administration to study and recommend modified sidewalk standards and specifications for existing residential areas and rural areas that lack sidewalks and have substandard infrastructure. The Council also adopted **Resolution 04-242** which urged the city administration to promptly allot funds appropriated in **Ordinance 04-25**, the Executive Capital Budget Ordinance for fiscal year 2004-05, for the "Makiki Stream Improvement" Project. The funds were intended for the development of the Makiki Urban Trail, which would improve traffic and mobility, reduce crime, and clear rubbish in the park and surrounding area. The Council also responded to the testimony of

members of the general public against the city administration's plan to close the Diamond Head crosswalk at the King Street/Punchbowl Street intersection. The Council's response was to adopt **Resolution 05-139, CD1**, which urged the city administration to retain the crosswalk. More generally, the Council adopted **Resolutions 04-357** and **04-358** which encouraged the Hawaii Community Development Authority to create pedestrian-friendly environments in Kalaeloa and Kakaako, respectively. For bicyclists, the Council adopted **Resolution 04-239** which urged the department of transportation services to expand its BikeEd Program for children and develop a safe bicycling program for adults.

### **Traffic Safety**

Traffic safety was addressed by the Council in three measures. **Ordinance 05-010** re-established parking prohibitions at intersections along Ala Wai Boulevard to enable maximum and safe use of the recent improvements on the boulevard. **Resolution 04-308** authorized the condemnation of land in Newtown, Aiea, for a traffic roundabout. **Resolution 04-343** urged the state legislature to enact an excessive speeding law.

### **Additional Transportation Concerns**

Annually, the Council adopts resolutions that are necessary for the city to receive federal funding for studies and projects. **Resolution 05-085** approved work elements to conduct the fixed guideway transit alternatives analysis and waterborne transit feasibility study for inclusion in the Overall Work Program for fiscal year 2005-06. **Resolution 05-140, CD1**, approved the city's list of transit, highway, and bridge projects for inclusion in the Transportation Improvement Program for fiscal years 2006 to 2008.

The Council continued its efforts to improve road maintenance by adopting **Resolution 04-202** which urged the Mayor to establish an advisory road maintenance and repair task force.

## **PROMOTING AFFORDABLE AND OTHER TYPES OF HOUSING**

### **Affordable Housing**

Substantial increases in the sale prices of residential property exacerbated the affordable housing problem in Honolulu. To promote the development of more housing affordable to low- and moderate-income families, the Council took several actions. The Council adopted **Resolution 05-154, CD1**, which requested the department of planning and permitting to amend its rules to allow affordable housing requirements in unilateral agreements to be met by in-lieu cash contributions to affordable housing projects developed by qualified non-profit entities. Pursuant to the authority of state law, Section 201G-118, Hawaii Revised Statutes, the Council granted exemptions from land use and development standards for three affordable housing projects. **Resolution 04-212, CD1**, approved 201G exemptions for the senior residence at the Iwilei Affordable Housing Project of the Housing and Community Development Corporation of Hawaii. **Resolution 05-113, CD1**, approved further exemptions relating to construction standards and the wastewater system facility charges for the Ewa Area B Subdivision. **Resolution 05-165** approved 201G exemptions for the Piikoi Vista Affordable Elderly Rental Apartment Project in Makiki. The Council also adopted **Resolutions 04-159** and **04-290** which authorized the city to submit applications for rental assistance payments to low-income residents under the housing conversion program.

Other Council actions amended existing city programs with the intent of promoting the development of affordable housing. **Ordinance 04-33** broadened the eligibility for awards of long-term leases of city real property without public bidding for housing, human services, and other public purposes. **Ordinance 05-008** permitted land acquired by the city with moneys from the housing development special fund to be exchanged for land of another governmental entity if the land exchanged by the city is used for housing.

Special needs housing also was provided by the Council through two resolutions. **Resolution 04-327** assigned a lease of city property in Makiki to a nonprofit entity in order to allow the continued provision of special needs housing to low-income residents with disabilities at the property. **Resolution 04-340** authorized the lease of city properties located in Waianae for special needs housing.

The Council also adopted **Resolution 05-077, CD1**, which urged the legislature to support an exemption from the state single-family leasehold conversion and ground lease rent control laws for workforce and other affordable housing developments.

Of equal importance to the actions taken by the Council to promote affordable housing was the refusal by the Council to approve the previous city administration's proposal to sell certain city housing projects. The projects were Chinatown Gateway, Harbor Village, Marin Tower, Kulana Nani Apartments, West Loch Villages, and Manoa Gardens Elderly Project. The previous city administration had proposed the sale during the deliberations over the executive budget for fiscal year 2004-05. Rejection by the Council of the resolutions authorizing the sale ensured the continued provision of affordable housing to low-income and elderly tenants of those projects.

### **Additional Concerns**

Various other actions were taken by the Council to encourage the development of housing.

The Council was receptive to a federal initiative to lease federal property to private persons for the development of more housing for military personnel and others and adopted complementary measures. One measure, **Ordinance 04-38**, provided that federal property shall not be taxed under the real property tax if: (1) the property is leased to a private entity for the development of housing for military and Coast Guard personnel; (2) the property does not benefit from routine county services; and (3) the federal

lessee makes specified contributions to the counties. Another measure, **Resolution 04-206, FD1**, approved a unilateral agreement by Actus Lend Lease LLC relating to the renovation and redevelopment of military housing.

**Resolution 04-353, CD1**, declared the Council's intention to establish a community facilities district through which basic infrastructure for a housing development in Waiawa would be funded through a special tax. The resolution also called for the chief engineer to study and issue a report on the proposed district. A community facilities district has never been established in the State of Hawaii. The Waiawa community facilities district would have the potential of lowering the cost of housing because bonds issued through the district to pay for infrastructure may have a lesser interest rate than would the usual financing instruments of a private developer.

The Council also approved **Ordinance 04-30** which amended the land use ordinance to allow one- and two-family dwellings within the Historic Core Precinct of Chinatown. As an idea to provide off-street parking for residents of the dwellings, the Council adopted **Resolution 04-248** which requested the city administration to study the feasibility of utilizing the city's off-street attendant parking facilities for monthly residential parking during non-peak periods. Chinatown has within or adjacent to its boundaries some of those facilities.

The Council also adopted **Resolution 04-300** which proposed an amendment to the land use ordinance which would repeal the maximum floor area restrictions on an ohana dwelling.

## ENHANCING AND MAINTAINING RECREATIONAL FACILITIES AND NATURAL RESOURCES

A fundamental responsibility of the Council is to provide adequate public recreational facilities and opportunities for residents and visitors. To fulfill this responsibility, the Council undertook various actions to establish a new city recreational facility, improve existing city recreational facilities, and continue operation of certain city recreational facilities owned by other government agencies.

A new recreational facility approved by the Council was a dog park in East Honolulu. The Council expressed its approval by adoption of **Resolution 04-296** which added to the East Honolulu public infrastructure map a park symbol for construction of a dog park at the Hawaii Kai Park-and-Ride.

The Council's support for improving existing city recreational facilities was evidenced by the adoption of various resolutions. **Resolution 04-207** added to the North Shore public infrastructure map a park symbol for construction of infrastructure and amenities at Waialeale Beach Park. **Resolution 04-251** granted a special management area use permit for parking lot improvements at Maili Beach Park. **Resolution 05-056** granted a special management area use permit for a new telecommunications facility that would replace 12 existing structures at the Hanauma Bay Nature Preserve.

Continuation of existing city parks on land owned by other government agencies was assured by the Council. Under **Resolution 04-37, CD1**, the Mayor was authorized to enter into a license agreement with the state department of hawaiian home lands to manage, operate, and maintain portions of Waimanalo Beach Park, Kaiona Beach Park, Kaupo Beach Park, Makapuu Beach Park, and Nanakuli Beach Park. Under **Resolution 04-329**, the Mayor was authorized to execute a license with the U.S. Navy for the use of the 54.2-acre Bellows Beach Park as a public park until September 30, 2009.

A city park and pavilion were also named by the Council. **Resolution 05-073** renamed the mauka portion of Salt Lake District Park as the "Ala Puumalu Community Park." **Resolution 05-167, CD1**, named the Kailua Beach Park Pavilion the "Mary George Pavilion" and approved the placement of an appropriate memorial plaque there.

In addition to its support for city recreational facilities, the Council took action that authorized improvements by the state to the Ka Iwi Shoreline and Makapuu Lookout. A special management area use permit was granted under **Resolution 05-116** for development of the Ka Iwi Scenic Shoreline and Makapuu Lookout Improvements, Phase I, Increment 2.

By adoption of **Resolution 04-337**, the Council took a preliminary step to acquire land in the North Shore area that had been intended for development. The resolution declared the Council's interpretation of the unilateral agreement incorporated in Ordinance 95-19 which rezoned Pupukea Paumalu. In the resolution, the Council interpreted the unilateral agreement as not applying to a government entity or conservation organization which acquires the rezoned land for open space and/or public park use. The interpretation removed a major barrier to acquisition of the land by such an entity or organization. Furthermore, to provide for the acquisition of the land for a nature preserve, the Council included in **Ordinance 04-25** an appropriation of \$1,000,000 of city funds to supplement moneys from other public and private sources.

At the request of the city administration, the Council authorized intergovernmental agreements that allowed the use of land held by the state and federal governments for "Sunset" community events. **Resolution 04-320** authorized the city to enter into an agreement with the Housing and Community Development Corporation of Hawaii for the use of the Corporation's lands in Kapolei for the Ewa/Kapolei Sunset on the Plains event. **Resolution 05-142** authorized the City to enter into an agreement with the U.S. Army for the use of certain lands for a Sunset in the Park event at Wheeler Army Airfield.

The Council also adopted **Resolution 05-078** which requested the director of parks and recreation to study and report on the feasibility of instituting a public-private partnership with the Friends of Honolulu Botanical Gardens for the operation of the Honolulu Botanical Gardens. City personnel now manage and operate the various city botanical gardens. The intent of the study was to determine whether a public-private partnership may result in more efficient and effective operation.

Two measures also were adopted requesting the cooperation of the state government to promote beautification and culture.

**Resolution 04-284** approved for inclusion in the 2005 HSAC legislative package a proposal that would authorize the counties to increase the maximum fee that may be charged for highway beautification and abandoned vehicle disposal. **Resolution 04-381** urged the governor to release a \$200,000 state grant for the development of the Oahu Arts Center in Mililani.

## **REVISING LAND USE POLICIES AND REGULATIONS AND GRANTING APPROPRIATE AND JUSTIFIED DEVELOPMENT APPROVALS**

Land use planning and regulation are major duties upon which the Council spends much time and effort. The Council fulfills these duties by attempting to balance the need for development to provide housing and economic growth and the need to protect open space and the environment.

The Council adopted **Resolution 04-119, CD1**, which proposed amendments to the land use ordinance to establish a reasonable deadline for the transmission to the Council by the Mayor of planning commission recommendations on special district and zone change proposals. The intent of the proposed amendments was to prevent delays that may result in undue hardship on the applicant of the special district or zone change proposal and other interested persons.

Another proposal to amend the land use ordinance was approved by the Council under **Resolution 05-16**. The Resolution proposed amendments that would encourage the preservation of historic property by liberalizing the provisions on the transfer of development rights from the historic property to other properties.

The Council also adopted **Resolution 04-246, CD1**, which approved the public infrastructure map for the Primary Urban Center. An ordinance enacted pursuant to 1992 charter amendments required the Council's approval of the map after submittal from the city administration.

Policy statements relating to planning in two communities were adopted by the Council. Under **Resolution 04-198**, the Council expressed support for the East Honolulu Sustainable Communities Plan and its vision for a vibrant community and agricultural uses in Kamilonui Valley. **Resolution 05-136** approved amendments to the Revised Urban Design Plan for the City of Kapolei.

Various approvals were granted by the Council for the development of private and public projects. **Resolution 04-241** granted a special management area use permit for construction and conversion of facilities at St. John Lutheran Church in Kailua. **Resolution 04-244, CD1, FD1**, approved a plan review use application for the five-year master plan for the Queen's Medical Center. **Resolution 04-355, CD1**, granted a special management area use permit for building improvements at the La Pietra/Hawaii School for Girls. **Resolution 05-001** granted a special management area use permit and shoreline setback variance for construction of a new classroom building and other improvements at Waianae High School.

## **STRENGTHENING AND DIVERSIFYING THE ECONOMY**

The Council recognized economic development was an important responsibility of all levels of government. To this end, the Council undertook direct and indirect actions to promote and stimulate the economy.

### **Agriculture**

During the fiscal year 2004-05, the Council focused on agriculture. Measures approved by the Council to promote agriculture or show support for the agriculture industry and farmers were many and diverse. Most of the substantive measures involved the taxation of agricultural real property.

**Ordinance 04-28** authorized an owner or lessee of land to request a compromise of real property taxes for fiscal year 2004-05 if the land is (1) classified as agriculture and (2) substantially and continuously used for agricultural purposes or kept vacant. The ordinance also required the director of budget and fiscal services to submit requests for compromises to the Council when the real property tax liability for a parcel of land for fiscal year 2004-05 exceeded the tax liability for fiscal year 2003-04.

**Ordinance 04-34** completely revised the agricultural dedication provisions of the real property tax ordinance and established a new "vacant agricultural" class. The revisions were intended to promote agriculture primarily by lessening the real property tax burden on landowners actually engaged in agricultural activities. The revisions also were intended to promote the preservation of agricultural land by easing the real property tax burden on landowners of agriculture-zoned, but vacant land.

**Ordinance 04-39** waived the penalty and interest on delinquent real property taxes owed in fiscal year 2004-05 for real property classified as agricultural and actually used for agricultural purposes if the owner was granted a compromise or had an appeal upheld. The ordinance addressed a situation under which an unusually large number of appeals of agricultural real property assessments were received.

**Resolution 04-237** approved negotiated compromises of real property taxes owed by certain farmers who for various reasons did not qualify for the agricultural tax deduction under a 2002 ordinance.

**Resolution 04-311** urged the city administration to propose a real property tax rate for fiscal year 2005-06 for agricultural property that is equal to the rate for improved residential property.

In addition to the tax measures, the Council adopted three resolutions supportive of the agricultural industry. **Resolution 04-218, CD1, FD1**, established a task force to recommend a long-term solution to the problems related to the real property taxation of agricultural lands. Ordinance 04-34, which is described above, was the result of the work of this task force. The Council also



adopted **Resolution 04-288, CD1**, which established an agricultural development task force to foster the growth and enhancement of agricultural activities on Oahu. The task force was formed and met during the fiscal year 2004-05. The Council also adopted **Resolution 05-033** which expressed support for state legislation relating to the acquisition by the state of agricultural land owned by the Galbraith Estate in Waialua, for continuation of agricultural use on the land.

Other measures supportive of agriculture in a conceptual manner also were adopted by the Council. **Resolution 04-220** expressed support for organic farming in Hawaii. **Resolutions 05-014** and **05-015** urged the Mayor and legislature, respectively, to provide funds and resources to combat agricultural theft.

### **Visitor Industry**

The revitalization of an older section of Waikiki was the Council's aim when it adopted **Resolution 04-314**. The resolution approved the abandonment and sale of a portion of Helumoa Road between Lewers Street and Beach Walk in Waikiki. The sale allowed Outrigger Enterprises to consolidate property to construct its Lewers/Beach Walk revitalization project.

Safety of the public in Waikiki was the primary concern when the Council adopted **Resolution 05-002**. The resolution authorized the city to enter into a utility agreement with Hawaiian Electric Company for the receipt and expenditure of funds for the anti-crime street lighting improvements on Kalakaua Avenue in Waikiki.

Council support for alternative visitor accommodations and experience was displayed through the adoption of **Resolutions 04-291, FD1**, and **04-325, CD1, FD1**. The Resolutions approved extensions of time for obtainment of a building permit for the Pua'ena Camp outdoor recreation facility under the special management area use permit granted by Resolution 00-105, CD1.

The Council also adopted **Resolution 05-188** which appointed a county representative to the advisory committee that will assist in the creation of the City and County of Honolulu's Tourism Strategic Plan. Adoption of the resolution signified the Council's intent to participate in the Hawaii Tourism Authority's initiative to create a strategic plan for each county.

Finally with respect to the visitor industry, the Council approved **Ordinance 04-35** which clarified provisions concerning the classification of time share units for real property tax purpose. Under the ordinance, certain time share units are to be classified as "apartment" instead of "hotel and resort." The ordinance was meant to address certain situations under which time share units were assessed for real property tax purposes as apartments, but taxed at the same rate as hotels and resorts.

### **Additional Economic Concerns**

In the interest of reducing the dependence on the visitor industry as well as enhancing the national security in the Pacific area and East Asia, the Council adopted **Resolution 05-153** which urged the Secretary of the Navy to designate Pearl Harbor as the home port of a Pacific Fleet aircraft carrier group.

The Council also adopted **Resolution 04-204** which urged the department of planning and permitting to implement a third party review system for building permit applications as soon as possible. Although the resolution did not appear to be directly related to economic development, the Council recognized that building delays could have an adverse impact on the economy by slowing investment on Oahu and impeding the flow of construction wages and expenditures.

The Council also adopted **Resolution 05-145** which authorized the managing director to enter into an agreement with the Hawaii Tourism authority for the acceptance and disbursement of funds to implement the County Other Product Development Program 2005.

Council support for the University of Hawaii's Culinary Institute of the Pacific and its upcoming program for advanced culinary education at the historic Cannon Club site was expressed through the adoption of **Resolution 04-345, CD1**.

## **ADDRESSING THE PROBLEMS OF PERSONS WITH SPECIAL NEEDS**

### **Alleviation Of City-Imposed Financial Burden**

City services must be funded by taxes and fees paid by city residents. Notwithstanding this, the Council determined that certain classes of people with special needs or unique problems deserved relief from city-imposed taxes and fees. Thus, the Council approved **Ordinance 04-31** which increased the real property tax home exemption available to a low-income homeowner of at least 75 years of age. Two other ordinances were approved by the Council to mitigate the financial burden on cesspool owners. One, **Ordinance 04-37**, established a reduced per call cesspool pumping service charges for eligible low-income households. The second, **Ordinance 05-002**, established a one-time real property tax credit for an owner of residential property who replaces a cesspool with a septic tank system for the treatment of wastewater. The Council also approved **Ordinance 04-40** which reduced the monthly parking rates at the city's attendant parking facilities after users of the facilities complained that previous increases were too high. Although not binding on the city administration, the Council also adopted **Resolutions 04-339, CD1**, and **04-356** which urged the city administration to provide real property tax relief for victims of the flooding in the Manoa/McCully and Kahuku areas, respectively. The real property tax relief was meant to assist owners in repairing damage to their properties.

Fairness in the real property tax program also was addressed by two ordinances approved by the Council. When a taxpayer appealed the taxpayer's real property tax liability, **Ordinance 05-009** authorized the director of budget and fiscal services to make a conditional settlement offer to the taxpayer before the appeal is heard by a board of review. The purpose of the ordinance was to facilitate the settlement of disputed taxes. **Ordinance 05-004** clarified when a trustee or fiduciary is entitled to a real property tax home exemption.

## Employment Programs

The city operated employment preparation and training programs with funds passed through the federal and state governments. To assure that the funds became available to the city, the Council adopted various resolutions authorizing intergovernmental agreements. Among the resolutions were the following: **Resolution 04-180** which authorized the Mayor to accept funds and enter into intergovernmental agreements with the state department of human services to provide pre-employment development and assessment services and job development for participants in the First-To-Work Program; **Resolution 04-185, CD1**, which authorized the Mayor to accept funds and enter into intergovernmental agreements with the state department of labor and industrial relations to provide employment-related training and services for the Workforce Investment Act Program; **Resolution 04-210, CD1**, which authorized the director of budget and fiscal services to enter into intergovernmental agreements with the Housing and Community Development Corporation of Hawaii to provide employment-related training to public housing residents under the U.S. Department of Housing and Urban Development's Economic Opportunities for Low and Very-Low Income Public Housing Residents' Program; **Resolution 04-274** which authorized the Mayor to enter into intergovernmental agreements with the state department of labor to provide project coordination services for the department's Preapprenticeship Pilot Project Program; and **Resolution 04-326** which requested the city administration to implement the First Source Program established by Ordinance 99-71 which is intended to help Hawaii residents find jobs with businesses who have grants from or contracts with the city.

## Human Services

Besides employment programs, the city was involved in various human service programs.

Most important among the human service programs were those delivered by nonprofit agencies with Community Development Block Grant (CDBG) funds passed through the city from the federal government. To receive and expend the CDBG funds, the Council adopted **Resolutions 04-346, 04-347, CD1, FD1**, and **05-003** which approved the reprogramming of those funds. The Council also was informed at a National Association of Counties' Conference of the federal Administration's proposal in the fiscal year 2005-06 federal budget to consolidate the CDBG Program with 18 other federal programs and reduce overall funding by a third. Because of the negative impact of the proposal on local governments, the Council adopted **Resolution 05-109** which expressed support for the CDBG Program. The Council, however, also recognized that the city's operation of the CDBG Program could be improved. Thus, the Council adopted **Resolution 04-189, CD1**, which requested the Mayor to establish a review panel to make recommendations on the funding of projects submitted by non-profit agencies for CDBG funds. Finally, in order to ensure that the federal grant money reaches nonprofit sub-recipients in a timely manner, the Council adopted **Resolution 05-031** which urged the city administration to review and improve the procedure for drawing down federal grants.

An effort to improve the social services for residents of Chinatown was achieved through the adoption by the Council of **Resolution 04-217**. The resolution approved a 25-year lease agreement with the Hawaii Heritage Center, in partnership with Catholic Charities Hawaii, for the Chinatown Community Cultural Center Program. Under the program, services to the community, including outreach to immigrant and elderly populations, and community meeting rooms would be provided.

The Council also adopted **Resolution 04-363** which urged the Mayor to support and facilitate the efforts to qualify the Hawaiian and Pacific Islands Division of the Salvation Army as a recipient of a Ray and Joan Kroc Corps Community Center. The Center was meant to be a family support, education, and recreation facility that offers activities that build character, confidence, and competence.

In order to implement the instruction of a deceased private donor of a parcel of land in Lanikai bequeathed to the city, the Council adopted **Resolution 04-352, CD1**. The resolution approved the sale of the parcel, with the net proceeds to be used by the department of community services to maximize services offered to senior citizens on Oahu.

Other actions of the Council approved intergovernmental agreements for the provision of human services by the city. **Resolution 05-224, FD1**, authorized the city to enter into an agreement to accept and receive Temporary Assistance for Needy Families Funds from the state department of human services. **Resolution 04-208, CD1**, authorized the city to submit an application for funding three caseworkers under the federal Section 8 Family Self-Sufficiency Program. **Resolution 04-365** authorized the city to enter into an intergovernmental agreement with Youthbuild USA to accept and expend funds to provide educational and training opportunities, support services, and employment services to disadvantaged youths. **Resolution 05-194** authorized the Mayor to enter into an agreement with State of Hawaii to accept a \$100,000 grant for sustaining anti-drug campaigns as authorized by Section 10 of Act 40, Session Laws of Hawaii 2004. **Resolution 05-195** authorized the Mayor to enter into an agreement with State of Hawaii to accept a \$100,000 grant for community-based substance abuse prevention programs as authorized by Section 15 of Act 40, Session Laws of Hawaii 2004. **Resolution 04-309** authorized the Mayor to enter into an agreement with the state department of health, to implement a program on parking for persons with disabilities.

## FUNDING CITY OPERATIONS AND PROJECTS AND ENSURING EFFICIENT AND EFFECTIVE DELIVERY OF CITY SERVICES

### Budget Ordinances

Approval of the annual budget ordinances for city government is one of the most important duties of the Council. Without adequate funding, city government would not be able to operate effectively. As in the past, the Council spent much time and energy on reviewing the Mayor's proposed budgets and revising them according to the Council's priorities and policies.

As a result of the effort, the Council approved **Ordinance 04-24**, the Executive Operating Budget Ordinance for fiscal year 2004-05. The ordinance appropriated \$1,228,961,020 for various operating programs of the city executive branch for the fiscal year. Of the total appropriation, \$1,138,099,577 were from local funds, \$81,105,582 were from federal funds, and \$9,755,861 were from special project funds. The final appropriations was approximately \$6.2 million more than the initial appropriation proposed by the Mayor.

Later in the fiscal year, the Council approved **Ordinance 05-011** which made various amendments to Ordinance 04-24. Among the amendments were increases in funding to assist with the crowing rooster problem, repair and maintain city vehicles, and pay utility, fuel, and zoo animal feed costs.

The Council also approved **Ordinance 04-25**, the Executive Capital Budget Ordinance for fiscal year 2004-05. The ordinance appropriated a total of \$298,262,398 for 241 capital improvement projects.

Appropriations of \$11.9 million for the legislative branch also were approved by the Council through **Ordinance 04-23**.

### **Revenues**

Concurrent with approval of the budget ordinances, the Council is required by the charter to approve measures yielding sufficient revenues to fund the appropriations in the budgets. The main revenue measure approved by the Council was **Resolution 04-67** which adopted the real property tax rates for fiscal year 2004-05. Additionally, the Council approved **Ordinance 04-16** which increased the unit charge for the disposal of solid waste at the H-Power facility, Waimanalo Gulch landfill, and transfer stations. The Council also approved **Ordinance 04-21** which increased certain public parking fees to help pay for the operating and maintenance expenses of the city's on- and off-street parking program. Two measures authorizing the city administration to take action necessary to secure revenues also were adopted by the Council. One measure, **Resolution 04-66**, authorized the city administration to file with the U.S. Department of Housing and Urban Development the city's application for Community Development Block Grant, Home Investment Partnership, Emergency Shelter Grant, and Housing Opportunities for Persons with Aids Program funds. The second measure, **Ordinance 04-15**, authorized the issuance and sale of general obligation bonds in the principal amount sufficient to fund the appropriations in the Executive Capital Budget Ordinance for fiscal year 2004-05.

In order to raise additional revenues for the city, the Council adopted two resolutions authorizing the sale of the leased fee interest held by the city in two condominium projects. **Resolutions 04-281** and **04-282** authorized the sale of the city's leased fee interest in the Queen's Court Condominium Project and Harbor Court Condominium Project, respectively.

The Council also adopted bond authorization resolutions. **Resolution 05-022, CD1**, authorized the director of budget and fiscal services to issue and sell not more than \$375 million in principal amount of general obligation bonds. The bonds were intended to fund projects in past executive capital budget ordinances. **Resolution 05-173** authorized the director of budget and fiscal services to issue and sell wastewater system revenue bonds in a principal amount not exceeding \$175 million to fund construction of wastewater projects.

### **Budget Policies**

Two measures establishing policies to improve the budgeting process were approved by the Council. **Ordinance 05-006** prohibited the reimbursement by the sewer fund of the general fund for expenses incurred in prior fiscal years, except for debt service payments on reimbursable general obligation bonds and other financings and repayments of inter-fund transfers and loans. The ordinance was intended to end the past practice of transferring sewer funds to the general fund under the justification that the transferred sewer funds repaid past general fund expenditures for the wastewater system. The other measure, **Resolution 04-324, FD1**, established a city policy providing that the effective date of a measure affecting city revenues and expenditures, other than an "annual budget measure," shall be July 1 of the fiscal year following the fiscal year for which an annual budget is approved. The resolution also required an "annual budget measure" to be identified by an identifying mark. The resolution was intended to clarify the process by which revenues are projected to balance the budget ordinances.

### **Collective Bargaining**

Collective bargaining cost items were approved by the Council for various bargaining units under **Resolutions 04-254, 05-122, 05-189, 05-190, and 05-191**.

### **Efficiency**

The Council approved certain measures intended to improve city government efficiency. Two resolutions did that by utilizing the City Auditor's services. **Resolution 04-205** requested the City Auditor to conduct a performance audit of the Hanauma Bay Nature Preserve Fund to determine whether the Fund is administered so that the Preserve is properly operated and maintained. **Resolution 05-070** requested the City Auditor to contract a firm or person to conduct a detailed study of the cost impacts on the city of a captive insurance company. The Council also addressed the cost and benefit of the very controversial Natatorium issue and, based on its findings, adopted **Resolution 04-255**. The resolution urged the city administration to consider less costly measures to address the health and safety concerns regarding the Waikiki War Memorial and Natatorium than the complete renovation proposed earlier. Additionally, the Council adopted **Ordinance 04-32** which authorized the use of multi-space parking meters and payment of parking meter charges with coins, currency, credit or debit cards, and smart cards. The Council also adopted **Resolution 05-110** which requested the city administration to determine whether the annual license fee for pawnbrokers should be increased in order to ensure that the license fees are covering the city's costs of licensing pawnbrokers.

## Charter

The Council passed **Resolution 04-113, CD2**, which initiated a charter amendment to provide for a temporary replacement for a councilmember called to active military duty, and the electorate approved the amendment at the general election of 2004. Allowing a temporary replacement councilmember was intended to assure the representation of the constituents of a regular councilmember who is called to active military duty.

Another charter amendment initiated by the Council under **Resolution 04-178, CD2, FD1**, and approved by the electorate called for the convening of the charter commission in 2005 and every tenth year thereafter. To fill the seats on the 13-member 2005 commission, the Council approved six appointees under **Resolution 04-364, FD1**. They joined six appointees of the previous Mayor who were listed under Mayor's Message 81 (2004). The thirteenth member was then appointed by the new Mayor and, by **Resolution 05-18**, confirmed by the Council.

## Leasehold Conversion

The Council disposed of an issue that had been extremely controversial in the community. By **Ordinance 05-001**, the Council repealed Chapter 38, ROH, the ordinance that provided for the mandatory lease-to-fee conversion of condominium, cooperative, and planned development units. The Council took the action after reviewing the Honolulu City Council Leasehold Conversion Task Group Facilitator's Report, dated April 2, 2004, and holding public meetings that generated much contentious testimony. The Council recognized that both sides of the issue had merit, but a majority of councilmembers felt that Chapter 38 no longer served a public purpose and should be repealed.

Before repealing Chapter 38, the Council approved three measures relating to the mandatory leasehold conversion issue. **Resolution 04-110** requested the City Auditor to conduct a performance audit of the city's leasehold conversion program. **Resolution 04-136** authorized the condemnation of the leased fee interests to 21 units in the Makiki Manor condominium project when the fee owner did not object. **Resolution 04-338, CD1**, urged lessors and lessees of residential condominium apartments, cooperative housing units, and planned development units to negotiate viable alternative rental housing solutions to address potentially adverse circumstances under lease agreements.

## HSAC/NACo

Interaction with other counties at both the state and national levels was continued through the Council's participation in activities of the Hawaii State Association of Counties (HSAC) and National Association of Counties (NACo). The Council hosted the HSAC 2004-05 Mid-Year Conference on January 27 and 28, 2005 at the Sheraton Waikiki Hotel. The Council also continued its planning for the 2005 Annual NACo Conference held on July 15 to 19, 2005 at the Hawaii Convention Center.

## Other Measures Taken by Council

Many other measures addressing a variety of diverse issues were approved by the Council. Among them were the following. **Ordinance 04-26** amended the building code to encourage appropriate and safe indigenous Hawaiian architectural construction, structures, and alternate building materials. **Ordinance 05-005** clarified provisions on the regulation of taxicabs. Among other things, the ordinance expressly specified that the regulation of taxicabs is under the jurisdiction of the department of customer services. **Resolution 05-020** urged the Mayor to appoint a committee to plan and implement a celebration of the 100<sup>th</sup> anniversary of the establishment of the City and County of Honolulu. **Resolutions 04-267** and **05-147** urged Congress and the President to enact legislation to restore veterans' benefits to Filipino veterans of World War II. **Resolution 04-287** requested the Council to take certain actions regarding visas to make it easier for citizens of the Philippines to enter the United States.